

IT-21

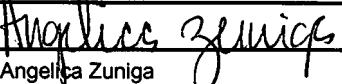
TRANSMITTAL FORM MAY 04 2007 <small>INTE & TRADES (to be used for all correspondence after initial filing)</small>		Application Number	10/813,354
		Filing Date	March 29, 2004
		First Named Inventor	John Adams
		Art Unit	3738
		Examiner Name	Unassigned
Total Number of Pages in This Submission	6	Attorney Docket Number	10057-704.301

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Shay Law Group LLP		
Signature			
Printed Name	Thomas Zlogar		
Date	5/10/07	Reg. No.	55,760

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Signature	
Typed or printed name	Angelica Zuniga
Date 05/01/07	

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05/01/07

Angelica Zuniga

Angelica Zuniga

Date Angelica Zuniga

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: 10/813,354

Inventors: John Adams

Filed: March 29, 2004

Title: **FOCUSED COMPRESSION MITRAL
VALVE DEVICE AND METHOD**Confirmation No.: **5007**

Examiner: Unassigned

Group Art Unit: 3738

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97 & § 1.98

Sir:

In accordance with 37 CFR § 1.97-1.98, applicants hereby submit an Information Disclosure Statement, including attached forms(s) PTO/SB/08. A copy of each reference is being submitted herewith, along with a concise explanation in English for those publications in a foreign language.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. Applicants further request that the Examiner initial and return a copy of the attached form(s) PTO/SB/08 in accordance with MPEP §609.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and /or to prove that this information may not be enabling for the teachings purportedly offered.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, prior art or material to patentability as defined in 37 CFR §1.56.

FILING OF INFORMATION DISCLOSURE STATEMENT

37 CFR §1.97(b)
 This statement is being submitted under 37 CFR §1.97(b) because the IDS is being filed:

- 1). Within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d), or
- 2). Within 3 months of entry of a national stage as set forth in § 1.491, or
- 3). Before the mail date of a first Office Action on the merits, or
- 4). Before the mailing of a first Office Action after filing a request for continued examination under § 1.114.

37 CFR § 1.97(c)
 This statement is being filed after the latest of:

- 1). Three months beyond the filing date of a national application, or
- 2). Three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application, or
- 3). The mailing date of a first Office Action on the merits, but before the mailing date of the earlier of a final Office Action under § 1.113 or a Notice of Allowance under § 1.311, and then either:
 - A). A fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement, or
 - B). A certification as specified in § 1.97(e) is provided below; thus no fee is required.

37 CFR § 1.97(d)
 This statement is being filed after the mailing date of the earlier of a Final Office action or a Notice of Allowance under § 1.311, but before payment of the issue fee, and then:

- A). A fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or payment is included with other papers filed together with this statement
 --AND--
- B). A certification as specified in § 1.97(e) is included below.

CONTENT OF INFORMATION DISCLOSURE STATEMENT UNDER
37 CFR § 1.98

37 CFR §1.98 (a)(2)(ii), U.S. patents or patent application publication(s) cited

- 1). Since not requested by the Office, U.S. patents and U.S. patent application publications are not included.
- 2). At the request of the Office, a copy of the following U.S. patent or patent application publication is attached:

37 CFR §1.98 (a)(2)(iii) and (d), Pending unpublished U.S. applications cited

- 1). A copy of each application specification including the claim(s)s, and any drawing of the application, or that portion of the application that caused it to be listed, including any claims directed to that portion, is attached.
- 2). A copy of each application specification is not submitted because the specification was previously submitted in the IDS of the following, earlier filed application relied on for an earlier effective filing date:

37 CFR §1.98 (a)(2)(iii) and (d), English language publication (other than U.S. patents, patent applications, or pending unpublished applications) cited

- 1). A legible copy of each publication or that portion which caused it to be listed is attached.
- 2). A copy of each publication or that portion which caused it to be listed is not submitted because the publication was previously submitted in the IDS of the following, earlier filed application relied on for an earlier effective filing date:

37 CFR §1.98 (a)(2)(i) and (d), Foreign patent(s) in English cited
 1). A legible copy of each foreign patent is attached.
 2). A copy of each foreign patent is not submitted because the publication was previously submitted in the IDS of the following, earlier filed application relied on for an earlier effective filing date:

37 CFR §1.98 (a)(2)(i), (a)(3)(i-ii) and MPEP 609(B), Foreign patent(s) or other foreign documents not in English cited. Either:
 1). A legible copy of each foreign patent, each publication or that portion which caused it to be listed, is attached
--AND--
 2a). A concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56 (c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language is provided herewith:
--OR--
 2b). A copy of a written, English-language translation or portion thereof is readily available and attached,
--OR--
 2c). An English language copy of a foreign search report is submitted.
--OR--
 3). A copy of each foreign patent is not submitted because the publication was previously submitted in the IDS of the following, earlier filed application relied on for an earlier effective filing date:

STATEMENT UNDER 37 CFR § 1.97(e)

Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

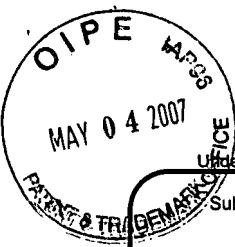
FEE AUTHORIZATION

The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-4050.

Respectfully Submitted,

Dated: 5/1/07
Shay Law Group
2755 Campus Drive, Suite 210
San Mateo, CA 94403
(650) 212-1700
Customer No. 66854

By: 
Thomas Zlogar Reg. # 55760



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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/813,354
Filing Date	March 29, 2004
First Named Inventor	John Adams
Art Unit	3738
Examiner Name	Unassigned
Attorney Docket Number	10057-704.301

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)			
	217	WO 98/056435-A1	12/17/1998	Micro Therapeutics, Inc.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO				Complete if Known	
				Application Number	10/813,354
				Filing Date	March 29, 2004
				First Named Inventor	John Adams
				Art Unit	3738
				Examiner Name	Unassigned
Sheet	2	of	2	Attorney Docket Number	10057-704.301

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	229	Mathis, Mark; U.S. Pat. App. # 11/655,710, entitled "Mitral Valve Device Using Conditioned Shape Memory Alloy," filed 1/18/2007 (SLG # 10057-714.301).	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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